

Moreover, Han fails to disclose the steps of interpreting the connection information to determine whether the end-point switch is capable of supporting a transparent link between the sending party and the receiving party and when the end-point switch is capable of supporting the transparent link, supporting the transparent link between the sending party and the receiving party. While the Examiner cites Fig. 8, Refs. 205-207, Applicant notes that Han describes steps S205-207 as “change the state of VPI/VCI to in use,” “confirm the PCR which ATM PVC corresponded to the frame relay connection uses in the occupancy state,” and “transmit the message for the PVC internetworking requirement to the destination side process,” respectively (col. 8, line 63, to col. 9, line 2), none of which disclose the above-referenced steps. Thus, the written disclosure of Han contradicts the Examiner’s assertion, citing Fig. 8, Ref. 205-207, that Han discloses “the interworking unit determines if the destination side support a transparent or translation mode; if the destination side support a transparent mode, the interworking unit will establish a transparent link; it is inherently disclosed in FR/ATM interworking unit based on the agreement in FRF.8 based on the upper layer protocol which is registered in the database is transparent mode.” Thus, Applicant submits that claims 1, 9, 13, and 18 are in condition for allowance.

Regarding claims 5 and 6, the Examiner states that Han discloses the connection information comprising at least one of a data transport protocol and a network switch type, citing Fig. 3c, Ref. OMCM, as disclosing a database which stores a network switch type for supporting transparent link and ATM protocol such as D\_ULPT), and wherein the network switch type can be used to process the enhanced traffic description, citing Fig. 3c, traffic description such PCR. Applicant respectfully disagrees. Applicant notes that D\_IN\_ULPT 37 is described as illustrating “an upper layer protocol of the frame relay connection, means Transparent and Translation mode” (col. 5, lines 10-12). Applicant can find no further explanation of the “upper layer protocol” that could arguably tend to relate it to the claimed invention. Moreover, the conjunctive union of Transparent and Translation in apparently a single mode in Han appears to teach away from the claimed invention, even if one were able to determine that the terms Transparent and Translation of Han have similar meanings to such terms in the present application (for which the Examiner has not presented evidence).

Moreover, Applicant respectfully disagrees with the Examiner’s assertion that the PCR of Han discloses an enhanced traffic descriptor such that an end-point switch is capable of processing an enhanced traffic descriptor. Rather, Han merely teaches that it “computes PCR (Peak Cell Rate) corresponded to CIR)” (col. 5, line 67, to col. 6, line 1), not that an end-point network switch is

capable of processing an enhanced traffic descriptor. Thus, Applicant submits that claims 5 and 6 are in condition for allowance.

Regarding claim 7, the Examiner states that Han discloses the receiving party is a user, citing Fig. 5, subscriber. Applicant respectfully disagrees. Applicant submits that the cited portion of Fig. 5 does not disclose the limitations of claim 7 subject to the limitations of base claim 1. Thus, Applicant submits that claim 7 is in condition for allowance.

Regarding claims 8 and 17, the Examiner states that Han inherently discloses the service interworking being default to translation if the endpoint network does not support transparent link. However, the Examiner provides neither explanation nor citation of any portion of Han to support the Examiner's contention. Thus, Applicant respectfully disagrees and submits that claims 8 and 17 are in condition for allowance.

Regarding claims 10 and 19, the Examiner states that Han inherently discloses extracting an enhanced traffic descriptor which identifies the data transport protocol from the setup message to determine if the receiving party supports the data transport protocol of sending party in order to establish a transparent link between the users, stating that the interworking unit must extract protocol identifier in order to recognize if the destination interworking unit supports this protocol or not. However, Applicant submits that the Examiner does not cite any portion of Han to support the Examiner's contention. Moreover, even if the Examiner's inference were valid, it would not necessarily anticipate the claimed invention. Thus, Applicant submits that claims 10 and 19 are in condition for allowance.

The Examiner has allowed claims 11, 12, 20, and 21. The Examiner states that claims 2-4 and 14-16 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant submits that, in view of Applicant's arguments for the allowability of the claims from which claims 2-4 and 14-16 depend, that claims 2-4 and 14-16 are also in condition for allowance.

In conclusion, Applicant has overcome all of the Office's rejections, and early notice of allowance to this effect is earnestly solicited. If, for any reason, the Office is unable to allow the Application on the next Office Action, and believes a telephone interview would be helpful, the Examiner is respectfully requested to contact the undersigned attorney.

Respectfully submitted,

07/28/2003 Date



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